MINUTES OF BOARD OF COUNTY COMMISSIONERS MILLARD COUNTY THE 12th of SEPTEMBER 2005 AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT:	John C. Cooper	Commissioner
	LeRay Jackson Co Norma Brunson	County Clerk

ALSO PRESENT: Dan Rowley, Brent Berkley, Shonda Robison, Dean Draper and Brandon Cahoon, Joyce and Michael Barney

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, the local news and located on the front and back doors of the County Courthouse as required by law the following proceedings were had.

COORDINATION SESSION

The Commissioners scheduled events for the month of September 2005.

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Cooper to the public and Commission members.

OPENING STATEMENTS

Commissioner Cooper asked if anyone had an opening statement to give? Commissioner Smith gave the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF AUGUST 22, 2005

There were none.

APPROVAL OF THE AMENDED MINUTES OF AUGUST 22, 2005

Commissioner Walker made a motion to approve the amended minutes of August 22, 2005. Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

AUDITORS REPORT

Auditor Brandy Grace gave the Commissioners various invoices and Overtime Report to review and approve for payment through the Auditor's Office.

Auditor Grace gave the Commissioners the Check Edit Report of September 9, 2005 to review and sign.

Auditor Grace reported she had received the final approved tax rates from the Utah State Tax Commission. Millard County's general tax rate is .003462 and the assessing and collecting tax rate is .000226. These tax rates were approved by the Commissioners.

Auditor Grace said she had received a request from Justin Nielson to purchase the old West Millard Care Center in Delta. The offer for both the building and the property is for fifty thousand dollars (\$50,000.00). The Commissioners will review the request and the intended use and will make a decision at next week's meeting.

Auditor Grace reported the preliminary report from PEHP shows an increase of 20-24 percent. The rising cost of insurance concerns the Commissioners. Attorney Jackson said UCIP was planning on offering insurance to counties at a lower rate and the Commissioners will look into the insurance plan to see if it is something the county would desire to purchase.

Auditor Grace said the website millardcounty.org is up and running. The Frontpage program was used to write the pages and training for some selected Millard County employees to learn the system was considered. The cost for five students is \$170.00 @ person, for seven students the cost is \$155.00 or for ten or more students the cost is \$140.00 @ person. The training will be offered to Richard Beckstrand, Brandy Grace, Bonnie Gehre, Sheryl Dekker, Sheriff's Office and any others that are interested in the training.

Auditor Grace reported the review of the county CERT funds with the Commissioners. Of the original \$50,000, there is a balance of about \$26,124.21. Some of the CERT Teams are interested in purchasing radios to help with communication issues. The county had originally planned to give emergency funds at \$2.50 for each resident but there is not enough money left in the account after paying for the eight trailers and other supplies for that amount to be paid to each resident therefore a fair way to allocate the balance of funds to the communities will be determined.

Auditor Grace reported she had three indigent abatements applications for consideration from the Commission. The first request was from Celeste Lisonbee for her property with serial number S1244. Along with the request was a copy of her income tax return, and an explanation why the abatement was needed. The Commissioners reviewed and discussed the request.

Commissioner Walker made a motion to award Celeste Lisonbee a hardship abatement for twenty-five (25 percent) of the property taxes with serial number S 1244 based on her income.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

The second request was for a hardship abatement was from Selma Lazaro for D 646-1. There was no income tax return with the application and Auditor Grace was asked to request a tax return from Selma Lazaro before the Commissioners would make a decision on this request.

The third request was from Terri Hoover for three properties F 38, F 38-1, and F 30-2. The primary residence is the only property that can be considered for an abatement. After review and consideration, Commissioner Smith made a motion to deny the request for an abatement.

Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

Auditor Grace reported the 2005 Charity Plan has been submitted by Fillmore Community Center and Delta Community Center and is ready for Commissioners review.

Auditor Grace said the budgets worksheets have been handed out and are due Friday, September 16, 2005. She inquired how the Commissioners wanted to proceed with the budget process this year? The Commissioners authorized the Auditor to set up individual appointments with the elected officials and department heads in the afternoons of September 19 and 26 and the morning of September 28, 2005 to talk about their budgets and the COLA.

DAN ROWLEY - FILLMORE CITY AIRPORT LAYOUT PLAN

Dan Rowley, Fillmore City Councilman reported that Fillmore City had been approached by Life Flight to put in an all- equipment landing system at the Fillmore Municipal Airport The City has been awarded a 90-10 grant with the state for a Fillmore Municipal Airport improvement project. The cost of the project is \$72,223.00. The State's share of the project is \$65,0000 which is 90 percent. Fillmore City share of the project is \$7,223.00 which is the other 10 percent and they asked the county for half amounting to \$3,612.00.

Mr. Rowley said that the airport layout plan will provide a development program to meet the aviation needs and demands in the short-intermediate and long-range planning period. Other entities will be asked to help with additional costs for the improvements.

The Commissioners asked for some time to review the project. Mr. Rowley was invited to next week's meeting for a decision on whether the county will participate.

ESGR AWARDS PRESENTATION - KNOX HUNTSMAN

This item was postponed until next week.

JOYCE BARNEY - POSSIBLE SIGNING OF THE MAPS FOR SUNSET VIEW ESTATES PUD

Joyce and Michael Barney presented the maps for the Sunset View Estates PUD to the Commissioners for signing. The project had gone through the Millard County Planning and Zoning Committee process and was approved and the maps are ready to be signed.

Commissioner Walker made a motion to sign the maps for the Sunset View Estates PUD as all the issues had been addressed by the Millard County Planning and Zoning.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried. The maps were signed by Attorney LeRay Jackson, Commissioner Chairman Cooper and attested by Clerk Norma Brunson.

BRANDON CAHOON-DISCUSSION ON POSSIBILITY OF MAKING A FILM IN MILLARD COUNTY

Brandon Cahoon from Ramparts, Inc. asked the Commissioners for permission to use several locations in Millard County to film movie scenes. Mr. Cahoon said the filming should only take about one half day at each location and would not disrupt normal business. The project will be done between May 20 and June 10, 2006.

Commissioners Walker made a motion to allow Ramparts, Inc. to use Gunnison Bend Reservation for a boat scene, (Mr. Cahoon will need to check with State Parks), West Millard Swimming Pool to film the water polo team, (he will need to check with Max Wood and Cindy Manning) Sunset View Golf Course, (he will need to check with Todd Mullen), and Millard County Fairgrounds to film scenes for a movie during the period of May 20-June 10, 2006.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

Mr. Cahoon will need to get Delta City's permission to film on the Delta City Main Street and the Delta City Park locations.

POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR RED SKY CONSTRUCTION - OWNERS ROBERT AND PAULA THOMAS

Commissioners reviewed the application and found everything in order.

Commissioner Smith made a motion to approve the signing of the business license for Red Sky Construction-Owners Robert and Paulette Thomas. Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

RATIFY THE SIGNING OF THE PREDATOR CONTROL AGREEMENT WITH THE STATE OF UTAH

Commissioner Smith made a motion to ratify the signing of the Predator Control Agreement with the State of Utah.

Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

POSSIBLE APPROVAL OF THE PROJECT PROPOSAL WITH UTAH DIVISION OF WILDLIFE RESOURCES

Commissioner Walker made a motion to approve the proposal with Utah Division of Wildlife Resources. The money will be taken out of Risk Management.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried. (See Exhibit A)

POSSIBLE APPROVAL OF AMENDED MILLARD COUNTY FACILITIES USE AND RENTAL POLICY

The Commission reviewed the proposed changes to the Millard County Facilities Use and Rental Policy as read by Millard County Attorney LeRay Jackson. They determined that some additional language will need to be added before it is approved. The item will be placed on the agenda for next week's meeting.

POSSIBLE APPROVAL OF THE PURCHASE OF REFURBISHED GOLF CARTS FOR SUNSET VIEW GOLF COURSE

Commissioner Walker made a motion to purchase ten refurbished electric golf carts from Highland Golf Course at cost of \$22,500 including delivery. This will bring the total number of golf carts owned by the Sunset View Golf Course to twenty-three carts. The money to purchase the carts will be taken out of golf equipment and supplies from West Millard Maintenance Department.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

POSSIBLE APPOINTMENT OF DAVID STURLIN TO THE MILLARD COUNTY PLANNING AND ZONING BOARD

Commissioner Smith made a motion to appoint David Sturlin to serve a term of four years to Millard County Planning and Zoning Board.

Commissioner Walker SECONDED. The voting was unanimous. The motion carried.

MILLARD COUNTY TREASURER JOHN HANSEN - POSSIBLE APPROVAL OF TAX ADJUSTMENTS YEAR TO DATE

This item was tabled.

DISCUSSIONS FROM EACH COMMISSIONER, COUNTY ATTORNEY, AND ELECTED OFFICIALS, AND SECRETARY

All the Commissioners served as the Board of Equalization in Delta and Fillmore on Tuesday, August 23, 2005. The commercial properties' data was not available that day and the information will be reviewed later.

On Wednesday, August 24, 2005 Commissioner Walker and Commissioner Cooper attended the Millard County Planning and Zoning steak fry.

Commissioner Walker talked to West Millard Maintenance Supervisor Kevin Morris regarding slick conditions of the deck at the West Millard Swimming Pool. Mr. Morris reported the company who had done the deck resurfacing had not added a non-skid material to the deck coating at the pool manager's request. After some complaints, she agreed to have the deck re-coated to prevent any accidents. The cost was approximately \$600.00 and was completed a few weeks ago.

On Thursday, August 25, 2005 Commissioner Walker attended the MEDA Meeting in Fillmore, Utah. They discussed Millard County's new website millardcounty.org and viewed the tourism video, which has been completed last year by Sky Productions. The video was financed by Tourism, Economic Development, Millard School District and some grant money a few years ago.

MEDA is hosting a business conference with the county on January 14, 2006. MEDA member Linda Gillmore is heading up the effort and has several exciting speakers and workshop presenters lined up.

Commissioner Walker attended the Millard County Road Department's summer potluck dinner the evening. The Whiskey Creek area setting was amazing as was the variety of food available.

On Tuesday, August 30, 2005 all the Commissioners, Gerald Anderson of Snake Valley Area attended the Western Counties Alliance meeting. Executive Director Mark Walsh presented information about PILT and HR bill 2337, which would increase PILT funding to 100 percent over three years. Other topics included RS 2477 rights and suggestions for working with agencies in their federal land management plans.

A walking committee meeting was held to discuss possible routes, funding sources and other details of a proposed walking/biking trail in West Millard. Several residents were in attendance and plans are moving forward on the project.

On Wednesday, August 31, 2005 Commissioner Walker spent some time in Fillmore talking with residents. She met with Arlene Bartholomew of the Fillmore Chamber of Commerce to discuss spending and tracking of Transient Room Tax funds.

Millard County Tourism Committee will be increasing membership on the board from six to eight members. The bylaws will be amended to reflect the change in the September meeting. Commissioner Walker spoke to proposed members.

Commissioner Walker talked with a county resident that may be interested in purchasing a commercial washer and dryer from the old care center. The equipment will need to be listed as surplus property first since they had not been previously advertised. She had received a phone inquiry a few weeks ago from one person that may be interested in purchasing the building.

On Tuesday, September 6, 2005 all the Commissioners met with Alex Bolton, Brush Resources plant manager, and other staff at Brush Resources. Mr. Bolton gave a brief history and overview of Brush Resources. He said Brush Wellman, the parent company, has produced beryllium mirror blanks that will be used for James Webb Space Telescope. The scientific project is scheduled for a launch by NASA early in the next decade.

Mr. Bolton also announced the possibility of a beryllium pebbles plant at the Delta site. The \$60-70 million dollar plant would employ another 30-35 workers. Delta is competing with an Ohio site for the project, with a decision expected in February 2006.

The Commissioners enjoyed a tour of the current facility given by Doug Murdock, operations manager.

On Wednesday, September 7, 2005 Commissioner Walker and Commissioner Cooper,

Fillmore City Mayor Sam Starley, Eskdale resident Gerald Anderson visited Wolverine Oil Facility in Sigurd with Six-County AOG. They also attended a meeting at Fish Lake Lodge with state legislators sponsored by Six County AOG where issues pertinent to counties were discussed, including centrally assessed property taxes verus those done locally. A public land meeting followed with a discussion of the proposed pipeline and the "Big Straw" that will suck water from Snake Valley, and RMP's.

On Thursday, September 8, 2005 Commissioner Walker visited with West Millard Chamber President, Brandon Smith, regarding expenditures of TRT funds, and also spent time talking with the business owner from A&R Tires about county issues. She attended Six-County Aging Advisory Council held at the M.E. Bird Center. Transportation issues were discussed and the appropriate uses for senior citizen buses.

Commissioner Smith visited with Dick Willoughby about some concerns of the Special District No. 8 and the possibility of expanding the number of board members from three to five members.

Commissioner Smith talked with USU Extension Central Utah Director Christine Sanders on Thursday. Commissioner Smith said that agricultural is a big part of Millard County and the county is opposed to the state cutting out funding for programs or the reduction of personnel.

Commissioner Cooper talked with Todd Mullen Golf Pro at Sunset View Golf Course.

Commissioner Cooper and other members met in their first meeting of the new Public Lands Policy Coordinating Council. They discussed many important issues including, road maintenance agreements, ample initiative legislation, Bear River Wild Life Refuge, Tabby Mountain disposition, BLM's RMP process, USDA Forest Service Management Revision and roadless, Grazing and Wild life interface policy, road litigation and status, wilderness proposal status, county transportation plans, the big straw, the water issue with Nevada, and trust land exchange issues.

Garth White and Janet Lindquist from Millard County Sheriff Office came in to discuss possible ways to allocate the balance of the CERT money the county had budgeted. At \$2.50 a person there will be a shortage of money. After discussing different scenarios, a decision was made to allocate each CERT group \$2.00 per capita for their area using the 2000 Census to determine county population.

Commissioner Walker made a motion to allocate \$2.00 per capita for each CERT group and to use the 2000 Census to determine the population.

Commissioner Smith SECONDED. The voting was unanimous. The motion carried.

Some of the cities are planning to spend their share of the funds on radios. The cost of a radio is three hundred dollars.

OTHER BUSINESS

Ranger Bob Gardner invited the Commissioners to a dutch oven dinner at Shingle Mill Campground on Thursday, September 15, 2005. He reported there is a fire use management fire in progress that has burned about 200 acres and hopefully will continue in the right direction. On October 26, 2005 USDA Forest Service will be hosting a public tour of the Beehive Peak special emphasis area. Details of the tour will be coming.

Chief Deputy County Attorney Brent Berkley said that they are meeting with Reed Searle in Delta, Utah on Thursday, September 15, 2005 to discuss preliminary plans for the IPP Third Unit and the new conditional use permit.

Commissioner Cooper read a letter written to Jim Stevens from Christine Sanders thanking him for his many years of service to USU and Millard County. She stated that USU no longer has extra money to keep him on staff after September 30, 2005.

Commissioner Cooper said that for the last few years USU and Millard County have had an agreement to each pay half of Mr. Stevens salary. Millard County was not consulted in this matter and consider Mr. Stevens a valuable help to the agricultural and livestock industries in Millard County. Commissioner Cooper suggested the Commission write a letter to Jack M. Payne and express a desire for them to help retain Mr. Stevens in Millard County and reverse their decision. The other two Commissioners agreed.

Commissioner Smith received a UAC Survey Request in regards to the Jurisdictional Transfer Worksheet requesting whether or not the county would like the proposed transfer of the road to occur.

State Route: 0064 - Begin at SR-15 N. B./End at Junction SR-50						
\$6,113						
\$35,503						
\$3,026						
9/End at Junction SR-50						
\$108,529						
\$35,032						
\$6,410						
0/End at Junction SR-132						
\$101,320						
\$20,269						
\$4,626						
State Route: 0133-Begin at Kanosh South Limits/End at Junction SR-15 Ramps						
\$30,434						
\$15,664						

Annual Dollars per CL Miles:	\$4,245				
State Route: 0174-Begin at Main Gate IPP Power Plant/End at Junction SR-6					
UDOT Annual Maintenance	\$16,280				
UDOT One Time Total	\$22,939				
Annual Dollars per CL Miles	\$2,000				

The Commissioners voted that the survey will be sent back to UAC saying **NO** to all the proposed road transfers. The amount of money being transferred with the roads would not cover the costs involved. The county would need to do more snow removal, buy more equipment, and hire more employees if they were given jurisdiction on the roads.

Commissioner Smith reported he received a letter from USDA Forest Service Environmental Assessment on a proposed 170 wireless communication site tower project. The Commissioners will review the letter.

Commissioner Cooper read a letter from Kathleen Clarke, Director Bureau of Land Management in Washington D.C. She commented on a letter that had been sent to Utah State Director Sally Wisely supporting the Fillmore Field Office as a location for additional BLM workload and staff. She stated that the BLM Utah is discussing operational changes to respond to workload challenges faced by the BLM. They will be using technology to consolidate work without moving existing employees, thereby minimizing costs and disruption. They will be flexible and consider Millard County's request.

Commissioner Smith had received a transmittal letter from Sunrise Engineering for a pay request for consultant services on the Millard County-Hwy 99 and Frontage Road Intersection Construction. The document was signed. The documents will be sent to Zane Pentz at Sunrise Engineering by the Clerk's Office.

Commissioner Smith made a motion to approve the signing of the agreement with Sunrise Engineering for Work Release No. 3 in regards to a Millard County Ambulance Building.

Commissioner Walker SECONDED. The voting was unanimous. The motion carried. The document and will be sent to Sunrise Engineering by the Clerk's Office. A copy will be on file in the Clerk's Office.

NOON LUNCH BREAK

MILLARD COUNTY ASSESSOR JIM TALBOT - BOARD OF EQUALIZATION

Millard County Assessor Jim Talbot and Chief Deputy Susan Duncan reviewed all the changes made by the Assessor's Office on property tax assessments. Some corrections and some adjustments have been made. The office has been calling people who have been affected by the adjustments.

Questions and Concerns of the County Commissioners

Why have commercial properties gone up so much even with the adjustments that have been made, especially in Delta?

What is the time, location, and depreciation factors?

It is hard for the businesses to come up so much money for taxes all at one time.

Would it have been better to have the increases been more gradual?

What is the formula or multiplier that is used for appraising? Is that information available for each county?

The time is not right and the situation too delicate to put pressure on the legislature. Pressure should be put on the Centrally Assessed.

How could the whole situation be avoided in the future so it doesn't happen again. Is the Assessor's Office mandated to do a reappraisal every five years.

Attorney Jackson Questions

What seems to be the biggest concern of the Commissioners the values or that nothing was done by the Assessor's Office for fifteen years?

Auditor Grace Comments

It appears there are two separate issues that need to be considered. The issue of the centrally assessed tax shift and the re-evaluation of commercial property both affect the taxpayer, however, they need to be addressed individually.

Assessor Jim Talbot Comments to Questions of the County Commissioners

The reason Delta's business assessments have gone up so high is the economy and the rents. The Assessor's Office has called the people who were given tax adjustments.

Assessor Talbot thinks that the county should put some pressure on the legislature.

Assessor Talbot said that Commissioners in the past did not want the reappraisal done of commercial property during their terms.

It takes a lot of people and resources to do a reappraisal. By having the state help, it has saved the county several hundred thousand dollars.

We have one company that taxes keeps going down and down and until that changes we will keep picking up their taxes.

The only option we have is to stipulate values.

The deadline for the tax payers to appeal is September 15, 2005. Any remaining tax assessment requests will be reported at Commission meeting on September 19, 2005.

The Commissioners will look into the issues of the property tax evaluations and try to make some kind of consideration toward easing the burdens if possible.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-4&5

There were none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Smith made a motion to adjourn the meeting.

Commissioner Walker SECONDED. The voting was unanimous. The motion carried. The meeting adjourned at 3:20.

Attest:_____Approved:_____

PROJECT PROPOSAL

Date: August 3, 2005

Project Title: Pahvant Upland Game Area Restoration

Background: As a result of Millard County flood control efforts, wildlife habitat on the Pahvant Upland Game Wildlife Management Area owned by the Utah Division of Wildlife Resources was destroyed. An estimated \$37,00.00 worth of damage occurred as a result of the flood control activity in May. As a result of discussions between commissioner John Cooper and Lynn Zubeck, (wildlife biologist) concerning mitigation, the Division of Wildlife Resources proposes that the following actions be taken to restore important wildlife habitat.

Project: The project consists of three main recommendations to improve wildlife habitat on the Pahvant WMA. Proposed restoration includes tree planting, installation of a drip system for watering trees/shrubs, and bank reshaping. A brief description of the three categories is as follows:

1. Tree planting - One hundred four-foot Russian Olive trees and two hundred Silver Buffaloberry shrubs and/or Eastern Red Cedar trees will be purchased and planted at the Pahvant WMA. Some of the trees will be planted on the existing drip system, and the remainder will be planted on a new drip system.

2. Drip system installation - One lift (3,202 feet) of 1.5" PVC pipe and fittings will be purchase and used to construct a drip irrigation system, which will irrigate trees and shrubs planted at the Pahvant WMA. The pipe will be assembled and buried under the direction of UDWR biologist Lynn Zubeck.

3. Bank reshaping - Millard County Road Department will be responsible for reshaping the banks of the ditch that was altered by the county during May 2005. The contour work will be completed and the banks re-seeded to prevent erosion and minimize future flooding concerns.

Cost: The total cost of materials for the project is estimated to be approximately \$6,000.00 for trees, chicken wire, mulch, etc. The attached table shows specific costs and in kind contributions. Millard County will contribute funds in the amount of approximately \$6,000 toward this project, and the UDWR will manage that account.

<u>Time line:</u> Project implementation should begin in the fall/winter of 2005 with a completion date of January 1, 2007.

MATERIALS					
Provided by	Quantity	Description	Unit Cost	Total	Subtotal
Millard County	100	4' Russian Olive Trees	\$18.00	\$1,800.00	
Millard County	200	Eastern Red Cedar/Buffaloberry	\$8.35	\$1,670.00	
Millard County	5	Rolls Chicken Wire	\$100.00	\$500.00	
Millard County	1	Ton Mulch	\$375.00	\$375.00	
Millard County	3202	Feet of 1.5" PVC-Delivered	\$0.36	\$1,152.72	
Millard County	1	Misc. PVC supplies and fittings	\$200.00	\$200.00	
		Millard County Subtota		\$5,697.72	
UDWR	100	Pounds of seed	\$1.50	\$150.00	
			UDWR Subtotal		\$150.00
			Project total		\$5,847.72
Labor					
Provided by	Quantity	Description	Unit Cost	Total	
Millard County	?	Recontouring Bank- Heavy Equipment		??	
Millard County	?	Installation and assembly of pipeline		??	
Millard County	?	Labor to Plant trees and shrubs		??	
UDWR	?	Supervision of project		??	